

### **REMARKS**

This responds to the Office Action dated June 21, 2004, and the references cited therewith.

Claims 2, 4, 6, 9-14, 16, 17, 19, 20, 22, 26-28, 34-39, 46, 47, 49, 51, 53 and 60 are amended. Claim 1 is cancelled without prejudice or disclaimer and Applicant reserves the right to file the claim in future continuations and/or divisionals. No claims are added. As a result, claims 2-65 are now pending in this application.

#### **Allowable Subject Matter**

Claims 10, 13, 17, 18, 20-22, 36-40, 46, 47, 49, 53 and 60 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant has amended claims 10, 13, 17, 20, 22, 36-39, 46, 47, 49, 53 and 60 to include all of the limitations of the respective base independent claims and any applicable intervening claims.

Furthermore, Applicant respectfully submits claim 18 depends from claim 17 and thereby includes all of its limitations. Additionally, claim 21 depends from claim 20 and thereby includes all of its limitations. Further, claim 40 depends from claim 39 and thereby includes all of its limitations. Applicant respectfully submits claims 18, 21 and 40 are allowable because they depend respectively from allowable base claims 17, 20 and 39.

Reconsideration and allowance of claims 10, 13, 17, 18, 20-22, 36-40, 46, 47, 49, 53 and 60 are respectfully requested.

#### **Claim Objections**

Claim 13 was objected to for informalities. Applicant respectfully submits claim 13 has been amended to correctly spell "galea." Applicant respectfully submits the amendment makes clear that which was already claimed.

*Double Patenting Rejection*

Claim 1 is rejected under the judicially created doctrine of double patenting over claim 19 of U.S. Patent No. 6,726,678. As stated above, Applicant has cancelled claim 1 without prejudice or disclaimer, and respectfully submits the rejection of claim 1 is thereby moot.

*§102 Rejection of the Claims*

Claims 1, 4, 6, 8, 9, 12, 14-16, 26, 27 and 32 were rejected under 35 U.S.C. § 102(b) for anticipation by Schulte (U.S. 3,310,051). As stated above, Applicant has cancelled claim 1 without prejudice or disclaimer, and respectfully submits the rejection of claim 1 is thereby moot. Further, claims 4, 6, 8, 9, 16 depend from claim 10 and thereby include all of its limitations. Further still, claims 12, 14 and 15 depend from claim 13 and thereby include all of its limitations. Additionally, claims 26, 27 and 32 depend from claim 22 and thereby include all of its limitations.

Reconsideration and allowance of claims 4, 6, 8, 9, 12, 14-16, 26, 27 and 32 are respectfully requested.

*§103 Rejection of the Claims*

Claims 2, 3, 19, and 25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Schulte (U.S. 3,310,051) in view of Elver et al. (U.S. 6,464,671). Applicant respectfully submits claims 2, 3 and 25 depend from claim 10 and thereby include all of its limitations. Further claim 19 depends from claim 17 and thereby includes all of its limitations.

Reconsideration and allowance of claims 2, 3, 19 and 25 are respectfully requested.

Claims 5 and 11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Schulte (U.S. 3,310,051) in view of Howard, III (U.S. 6,129,685). Applicant respectfully submits claims 5 and 11 depend from claim 10 and thereby include all of its limitations.

Reconsideration and allowance of claims 5 and 11 are respectfully requested.

Claim 7 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Schulte (U.S. 3,310,051) in view of Haarala et al. (U.S. 6,190,352). Applicant respectfully submits claim 7 depends from claim 10 and thereby includes all of its limitations.

Reconsideration and allowance of claim 7 are respectfully requested.

Claims 23 and 24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Schulte (U.S. 3,310,051) in view of Elver et al. (U.S. 6,464,671) as applied to claim 2 above, and further in view of Howard, III (U.S. 6,129,685). Applicant respectfully submits claims 23 and 24 depend from claim 10 and thereby include all of its limitations.

Reconsideration and allowance of claims 23 and 24 are respectfully requested.

Claims 28 and 33 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Schulte (U.S. 3,310,051) in view of Lent et al. (U.S. 6,458,118). Applicant respectfully submits claims 28 and 33 depend from claim 22 and thereby include all of its limitations.

Reconsideration and allowance of claims 28 and 33 are respectfully requested.

Claims 29, 34, 35, 41, 48, 50, 51, 59, and 61-65 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Schulte (U.S. 3,310,051) in view of Rise (U.S. 5,643,207). Applicant respectfully submits claims 29, 41, 48, 50, 59 and 61-65 depend from claim 22 and thereby include all of its limitations. Further claim 34 depends from claim 10 and thereby includes all of its limitations. Further still, claim 35 depends from claim 36 and thereby includes all of its limitations. Additionally, claim 51 depends from claim 47 and thereby includes all of its limitations.

Reconsideration and allowance of claims 29, 34, 35, 41, 48, 50, 51, 59, and 61-65 are respectfully requested.

Claims 30 and 31 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Schulte (U.S. 3,310,051) in view of Linberg (U.S. 6,442,433). Claims 30 and 31 depend from claim 22 and thereby include all of its limitations.

Reconsideration and allowance of claims 30 and 31 are respectfully requested.

Claims 42-45 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Schulte (U.S. 3,310,051) in view of Rise (U.S. 5,643,207) as applied to claim 41 above, and further in view of Zacouto (U.S. 5,305,745). Claims 42-45 depend from claim 22 and thereby include all of its limitations.

Reconsideration and allowance of claims 42-45 are respectfully requested.

Claim 52 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Schulte (U.S. 3,310,051) in view of Rise (U.S. 5,643,207) as applied to claim 51 above, and further in view of Elver et al. (U.S. 6,464,671). Claim 52 depends from claim 47 and thereby includes all of its limitations.

Reconsideration and allowance of claim 52 are respectfully requested.

Claims 54-58 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Schulte (U.S. 3,310,051) in view of Rise (U.S. 5,643,207) as applied to claim 27 above, and further in view of Linberg (U.S. 6,442,433). Claims 54-58 depend from claim 22 and thereby include all of its limitations.

Reconsideration and allowance of claim 54-58 are respectfully requested.

**CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 373-6902 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Petitions, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 28<sup>th</sup> day of September, 2005.

Name

Signature